LCPtracker Contract Delivery 2019 Construction Management Conference

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Labor Compliance pg. 1

Use in all projects

MICHIGAN DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION FOR LABOR COMPLIANCE

1 of 3

CFS:AS

APPR:JJ

APPR:JJG:RJC:06-27-18 FHWA:APPR:06-28-18

a. Description. Ensure all levels of contracting (prime, sub, sub, sub, etc.) comply with all labor compliance requirements in this contract. The Contractor is responsible for subcontractors and lower tier subcontractor labor compliance. Job site poster requirements apply to state and federally funded projects. All Contractors must insert this special provision in each subcontract and further require its inclusion in lower tier subcontracts for federal prevailing wage projects.

b. Requirements.

- Jobsite Posters. All jobsite posters and employment notices required by State and Federal regulations and the contract documents are to be posted on the jobsite in a conspicuous area prior to the commencement of work. Ensure jobsite postings are accessible at all times.
- Federal Prevailing Wage Projects. The Davis-Bacon Related Acts apply to all Contractors, and subcontractors (all tiers) performing work on federally funded or assisted construction contracts where the total construction contract price is in excess of \$2,000.
 Contractors and subcontractors are required to comply with 29 Code of Federal Regulations Parts 1, 3, and 5.

The Contractor must advise subcontractors of the requirement to pay the prevailing wage rates prior to commencement of work and that all employees must cooperate during wage rate interviews.

A. Certified Payroll Submittal Requirements. Contractors (all tiers) must submit their certified payrolls to the prime Contractor. The submitted payrolls must accurately and completely include all information required on MDOT Form CP-347, Certified Payroll. The required weekly payroll information may be submitted on a contractor generated form but must contain all information required on Form CP-347. The first certified payroll is to be received by the Engineer within 3 weeks from the week ending in which work is performed. The 3 week period is to allow for the processing and review of the certified payrolls by the prime Contractor. The review must ensure the certified payroll is complete and contains all information required on Form CP-347. Form CP-347 is available on the MDOT forms webpage. Certified payroll information must meet the requirements of this special provision unless the contract requires payroll to be submitted through the prevailing wage and labor compliance (PWLC) system. Payroll submitted via the PWLC system must be entered into the system, certified, and approved by the prime Contractor to be considered received by the Department.

Labor compliance issues must be resolved within 60 calendar days of receiving the Departments first documented notice. The 60-day requirement may be extended based

Labor Compliance pg. 2

Use in all projects

12SP-107G-03 CFS:AS 2 of 3 06-27-18

on documented mutual agreement between the Department and the Contractor.

- (1) Fringe Benefit Statements. Contractors making payments or incurring cost to provide bona fide benefits must submit an hourly breakdown of fringe benefits paid each worker, or work classification where applicable, that must accompany the first certified payroll where fringe benefits are credited towards the prevailing wage. The Contractor must update these documents as necessary to ensure they are current throughout the working life of the contract. Failure to submit or maintain the required fringe benefit statement will constitute a payroll deficiency.
- (2) Delinquent Payroll. Certified payrolls not submitted per subsection b.2.A of this special provision will be considered delinquent.
- (3) Deficient Payroll. Certified payrolls that are found to be incomplete, inaccurate, or inconsistent with other project records are considered deficient.
- (4) Non-compliance Damages. A Contractor found to be in non-compliance with the requirements of this special provision will be assessed non-compliance damages listed in Table 1, proportional to the value of their work on the contract (including subcontract, purchase order (P.O.) or invoice amount).

Table 1: Schedule of Non-Compliance Damages

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Contract/Subcontract/P.O./Invoice Amount (a)	Non-compliance damages per calendar day								
\$0 to 49,999	\$200								
50,000 to 99,999	400								
100,000 to 499,999	600								
500,000 to 999,999	900								
1,000,000 to 1,999,999	1,300								
2,000,000 to 4,999,999	1,550								
5,000,000 to 9,999,999	2,650								
10,000,000 and above	3,000								
Trucker	\$200								
 a. "Contract" amount if offending c 	ontractor is the prime contractor.								

- a. "Contract" amount if offending contractor is the prime contractor. "Subcontract/P.O/Invoice" amount if offending contractor is a subcontractor/vendor.
- B. Record Keeping. Maintain payrolls and basic records relating thereto (i.e. employee names, occupation, hours worked, W2, canceled checks, bank statements, etc.) by all levels of contractors during the course of work and retain for a 3-year period from the date of final estimate for all employees working on the site of work. Make these records available for inspection, copying, or transcription by the Department or its representative.
- C. Short Duration Projects. The following modifications apply if the project is less than 75 calendar days in duration.
 - (1) Submittal Requirements. On short duration projects the first certified payroll is

Prevailing Wage Compliance System Pg. 1

Use in all Federal-aid trunkline projects.

Optional for LAP.

MICHIGAN DEPARTMENT OF TRANSPORTATION

SPECIAL PROVISION FOR PREVAILING WAGE AND LABOR COMPLIANCE SYSTEM

CFS:AS

1 of 2

APPR:RJC:MB:06-28-18 FHWA:APPR:06-29-18

- a. Description. This work consists of the required use of a prevailing wage and labor compliance (PWLC) system for all prevailing wage documentation as directed by the Engineer. Input all required certified payroll documentation into the PWLC system (LCPtracker) and update this documentation throughout the execution of the contract. Certified payroll information is to be submitted in the PWLC system per the time requirements in the 12SP-107G Labor Compliance.
- b. Contractor Responsibility. Coordinate all electronic document submittals including documentation supplied by other companies (e.g. subcontractors, suppliers, fabricators, etc.) as detailed in this special provision. All companies will directly submit their certified payroll information into the PWLC system.
- c. General Requirements. Submit all certified payroll information as required in this special provision and the 12SP-107G Labor Compliance. Provide employee zip codes as part of the certified payroll submission. This information will be redacted from any certified payroll reports to protect worker anonymity. Zip code information will be anonymized and used for federal, state, and legislative prevailing wage and labor reporting.

All data entry will be submitted through the following program and website:

Program: LCPtracker

Login Website: http://www.lcptracker.net

General Information website: www.lcptracker.com

A tutorial for this system can be found though the website provided.

- d. Condition of Payment. Post all documents electronically into the PWLC system. Electronic posting and submittal of documents is a condition of payment for this contract. Documents submitted in any other manner, unless required otherwise in this special provision or directed by the Engineer, will not be accepted and will delay payment.
- e. Digitally Encrypted Electronic Signatures. Ensure all documents that require signature authorizations are signed using a digitally encrypted electronic signature. Further information regarding how to obtain a digital signature can be found at the following website:

www.michigan.gov/mdot-esign

f. Contractor Preparation for Tracking Software:

 Information about LCPtracker is available to the Contractor and other project companies (e.g. subcontractors, suppliers, etc.) at the following website:

Prevailing Wage Compliance System Pg. 2

Use in all Federal-aid trunkline projects.

Optional for LAP.

CFS:AS 2 of 2 12SP-104F-03 06-28-18

www.lcptracker.com.

2. Access to the PWLC system is provided at no cost to the Contractor. The project office will setup the project in LCPtracker and assign the Contractor. The Contractor will setup other project companies to submit certified payrolls and prevailing wage/labor compliance documents. Once setup in the system the Contractor and other project companies may access the software at the following website:

www.lcptracker.net

- Use Internet Explorer to access the PWLC system. The Department has tested and will support Internet Explorer versions 8, 9, 10 and 11.
- g. Document Format. The Engineer reserves the right to electronically reject documents that are deemed to be unsuitable. This may include documents submitted that are illegible or unreadable or contain inappropriate information. The submitting company must re-submit the corrected documents into the PWLC system. Failure to do so will be considered noncompliance and may delay progress payments.
- h. Training. LCPtracker offers biweekly contractor training sessions, user support manuals, quick start guides, e-Training videos, and a software support staff available Monday thru Friday 8 am to 8 pm EST accessible through the online interface.
- File/Document Retention. The electronic files submitted in the PWLC system are the official contract documents and must follow all Department document retention schedules.
- j. Technical Issue Resolution. Upon discovery, the Contractor (designated subcontractors, suppliers, etc. must go through prime Contractor) must immediately contact the Engineer through documented correspondence concerning software issues.
- k. Measurement and Payment. The work included in this special provision will not be paid for separately and is considered to be included in other items of work.

LCPtracker Local Agency Use

- Goal to include SP on all MDOT let projects FY:20
- If including after award:
 - Discuss use at the preconstruction meeting
 - Ideally not used on short duration projects
 - Involves multiple contractors to maximize benefit
- Intended to reduce but not eliminate prevailing wage oversight times
- Contract information sent to the resource email for project setup and assignment including job number and identification of prime approver.

Project Delivery

Guidance in Construction Manual: Division 1 > Section 107 > LCPtracker Supplemental Information

Prevailing Wage Procedures

Contract Setup and Assignment – Contract setup in LCPtracker as well as the assignment of the prime contractor and prime approver is the responsibility of the engineer (or their designee such as the office technician). Contract setup includes but is not limited to the entry of project specific information, identification of a project specific contact, and assignment of the appropriate prevailing wage schedule(s). Individual contracts where consultants are performing payroll oversight must be setup by the engineer or their designee and then assigned to the consultant.

Wage Determination Entry – Entry and maintenance of wage decisions is the responsibility of the MDOT LCPtracker administrator. If at any time a project office becomes aware that a wage determination required for their project is not available, the MDOT LCPtracker administrator must be notified. Wage entry requests must allow at least 2 business days for the information to be input into LCPtracker.

Contract Administration – The day-to-day administration of the contract is the responsibility of the engineer or their designee. This will include approving fringe benefit statements, receiving, reviewing, and accepting certified payroll submissions, approving apprenticeship documents, establishing project specific apprenticeship/OJT classification(s), and closing completed contracts.

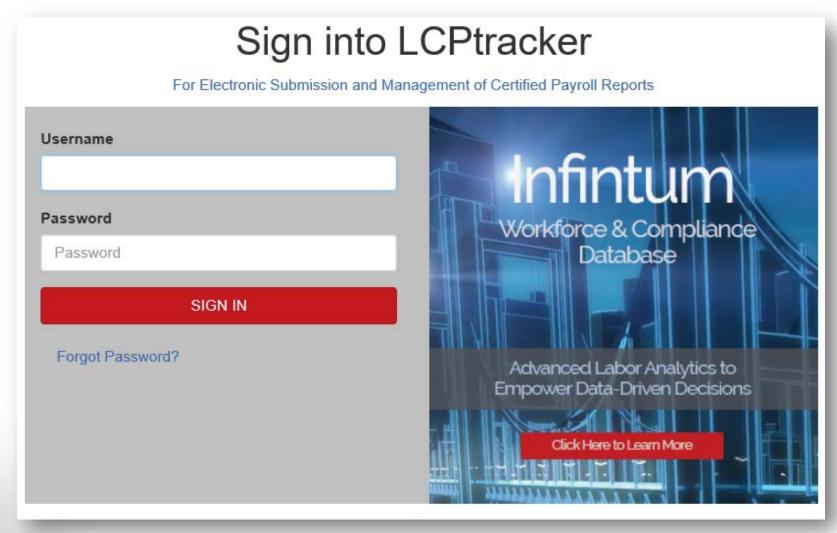
Forms Requirements

Prevailing Wage Forms

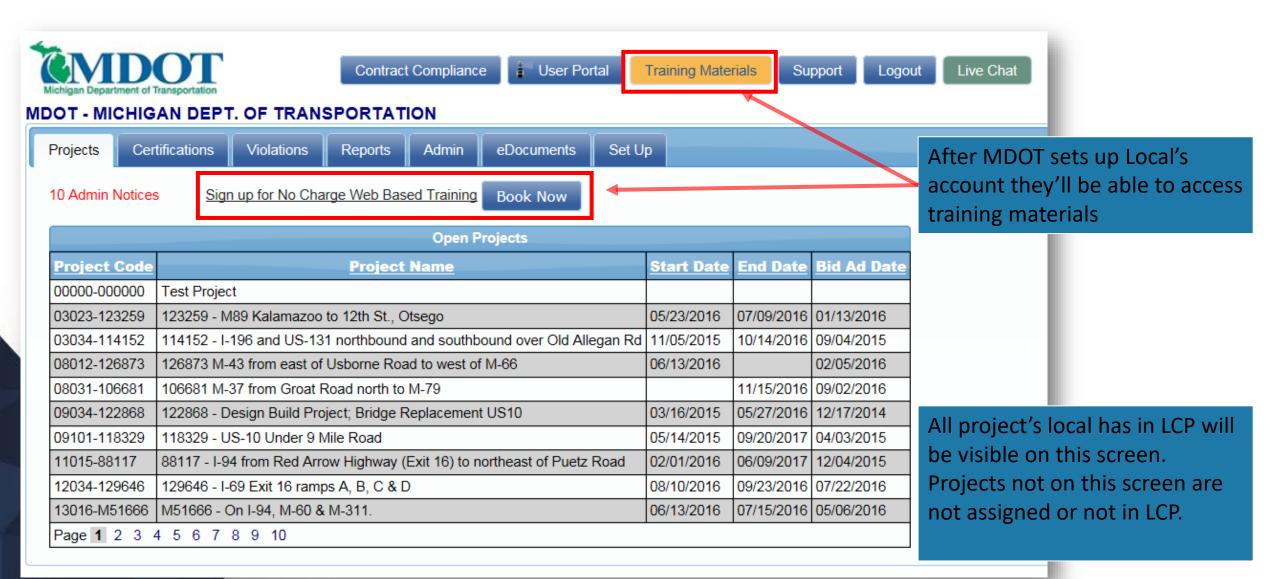
1952 — Certified Payroll Review Checklist: This form is not required when utilizing LCPtracker. The engineer will review the certified payrolls from the prime contractor and subcontractor(s) to ensure consistency with work performed. The background validation settings in the software are configured to:

- Disallow certification and submission of incomplete or inaccurate payroll information.
- Require submission of fringe benefit information prior to certifying a payroll.
- Require submission of Apprentice/On the Job Training (OJT) documentation prior to certifying payrolls on which Apprentices/OJTs are included.
- Verify that wages paid meet or exceed required wages based on classification selected.
- 1954 Certified Payroll Status Log: This form is required and will be stored in the project specific construction folder of ProjectWise under 400 Internal Use Only.
- 1955 Contractor's Certified Payroll: This form is not required when utilizing LCPtracker. The intent of MDOT form 1955 is to accompany the prime contractor's submittals of subcontractors certified payrolls to the engineer verifying that certified payrolls are complete as required by the prevailing wage oversight procedures located in the MDOT Construction Manual (Division 1 Section 107). The background validation settings in the software are configured to disallow certification of incomplete certified payroll. The prime approver functionality within LCPtracker will take the place of this form.
- 1967 Jobsite Poster Inspection Checklist: This form is required and will be stored in the project specific construction folder of ProjectWise under 400 Internal Use Only.
- 1156-T1 Wage Rate Interview Sheet Tier 1: This form is required and will be stored in the project specific folder of ProjectWise under 400 Internal Use Only.
- CP-347 Certified Payroll: Weekly certified payrolls covering the contractor's and subcontractor's workforce must be submitted via LCPtracker. The submitted payrolls must set out accurately all information required by MDOT form CP-347 with the exception of total hours worked on all projects. Total hours for all projects will not be required as LCPtracker will identify if/when a worker has been shown on a payroll in excess of 40 hours in a week, and certification will not occur without paying a premium rate of pay.

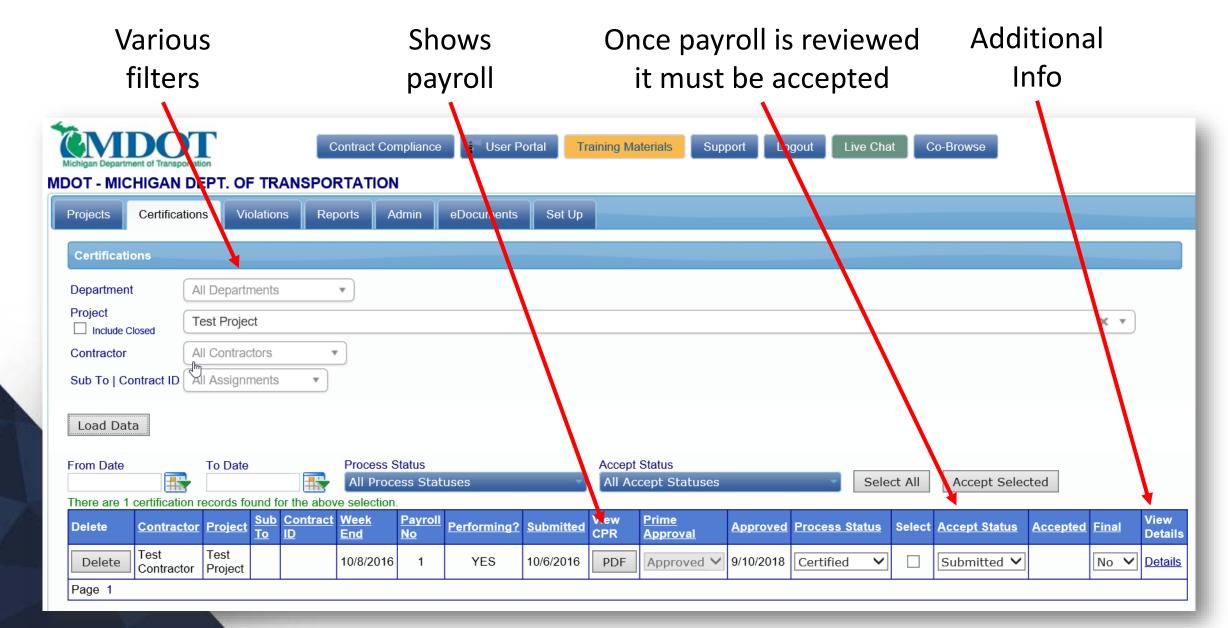
System Login



LCPTracker Training Resources

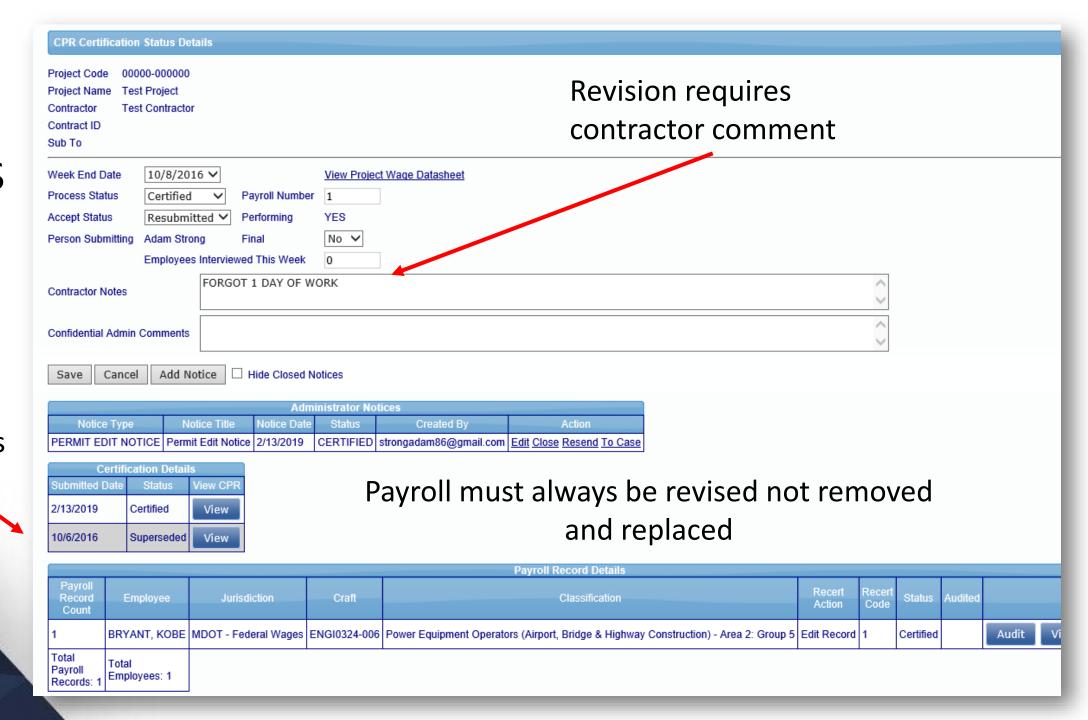


Certifications Tab



Payroll Details

Previous
Payroll
Submissions



Viewing Payroll

Project Code / Contract # / FIN: 00000-000000

October 06, 201

Page 1 of 2

WEEKLY CERTIFIED PAYROLL REPORTING FORM

TOTAL 2.0 OT HOURS:

NAME OF CONTRACTOR :Test Contractor								R'S LICE?	NSE No.	5177197	344	ADDRESS: 8885 Ricks Rd, Lansing, MI 48909							PROJECT LOCATION/ CODE / NAME :						
Prime							SPECIALTY LICENSE No.						PHONE: 5177197344						Statewide / 00000-000000 / Test Project						
Prime							EMAIL: strongadam86@gmail.com																		
PAYROLL No. 1 FOR WEEK ENDING: 10/08/2016 SUBMITTED ON: October 06, 2016						•	MOTOR CARRIER PERMIT No.						INION SELF-INSURED CERTIFICATE No. n-Union WORKERS' COMP. POLICY:												
NAME, ADDRESS, SSN, DRIVER'S LICENSE, ETHNICITY, GENDER			WORK LASSIFICATION, CATION AND TYPE	HOURS WORKED EACH DAY						TOTAL HOURS	BASE HOURLY RATE		AMOUNT RNED			DI	EDUCTION . CONTRIBUTION AND PAYMENTS								
BRYANT, KOBE Emp Id: 1212	Equipn Bridge		-006 / Power Operators (Airport, Highway Construction) - oup 5 / Type: Highway			10.55.10	10/4/16	10/5/16	10/6/16 TH	10/7/16 F		TOTAL HOURS THIS PROJECT	BASE HOURLY RATE OF PAY	THIS PROJECT	ALL PROJECTS	Federal Tax	Social Security	Medicare	State Tax	Local Taxes / SDI	Other	Savings	Total Deduction	Check No.	
,	MPT			S	М	T W TH F S PROJECT	23.90	-	467.50	6.78	28.99	0.00	19.87	0.00	0.00	0.00	55.64	See Notes							
XXX-XX-1212 AFRICAN AMERICAN		Statawida	Statowida	o						10.00			Vac/Dues	Trav. Subs.	Health & Welfare	Pension	Vacation Holiday	Training	All Other	Total Fringes Paid to 3rd	Net Paid Week				
Male	0	0 Statewide WD: MI160001		D									0.00	1		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	411.85	
All or Part of Fringes Paid to Employee: YES Vacation. Holidav and Dues in Gross Pav: NO Voluntary Contributions in Gross Pay: NO									Total Hours All Projects	Rate in Lieu of Fringes:	Total in Lieu of Fringes	Total Base Rate + Fringes	Voluntary Pension	Voluntary Medical	H & W Rate	Pension Rate	Vac Hol Rate	Training Rate	All Other Rate	Total Fringe Rate to 3rd	Payroll Payment Date				
Voluntary Contributions in Gloss Fay. 140								10.00	22.85	228.50	46.75	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10/14/16					
NOTES:Paycheck Number: Direct Deposit																									

Things to look for:

TOTAL 1.5 OT HOURS:

10.00

TOTAL STANDARD HOURS:

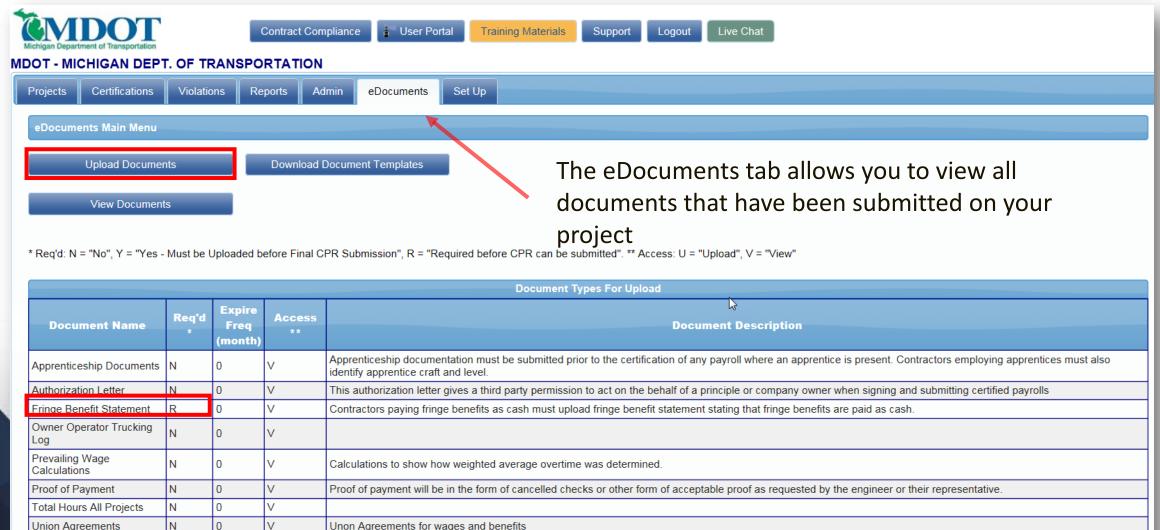
- Classification and location correct?
- Number of hours and employees look appropriate?
- Fringes match fringe benefit statement?

0.00

10.00

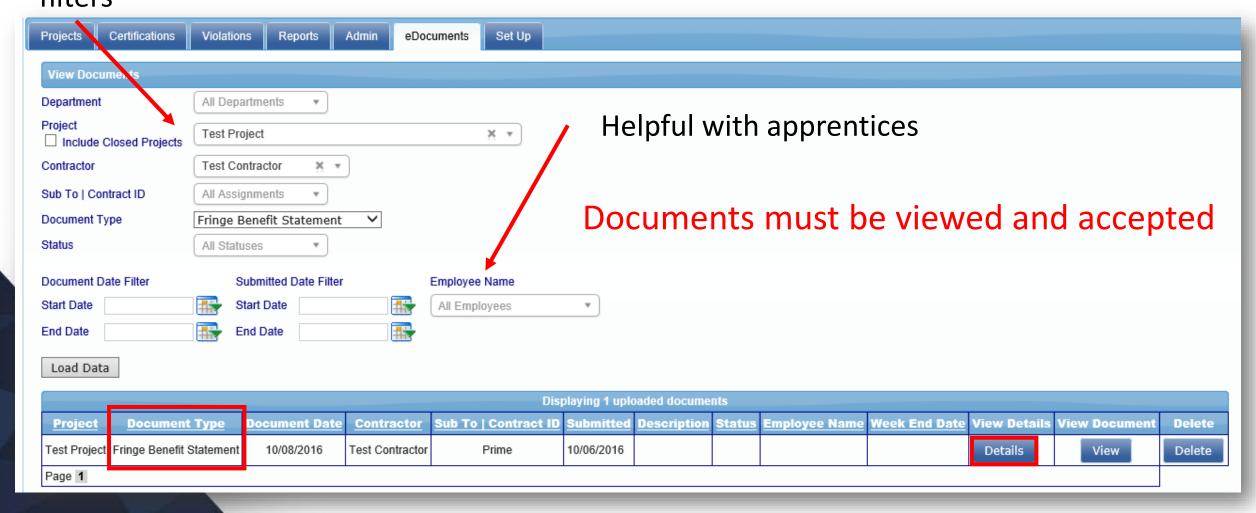
GRAND TOTAL HOURS:

Prevailing Wage Documents

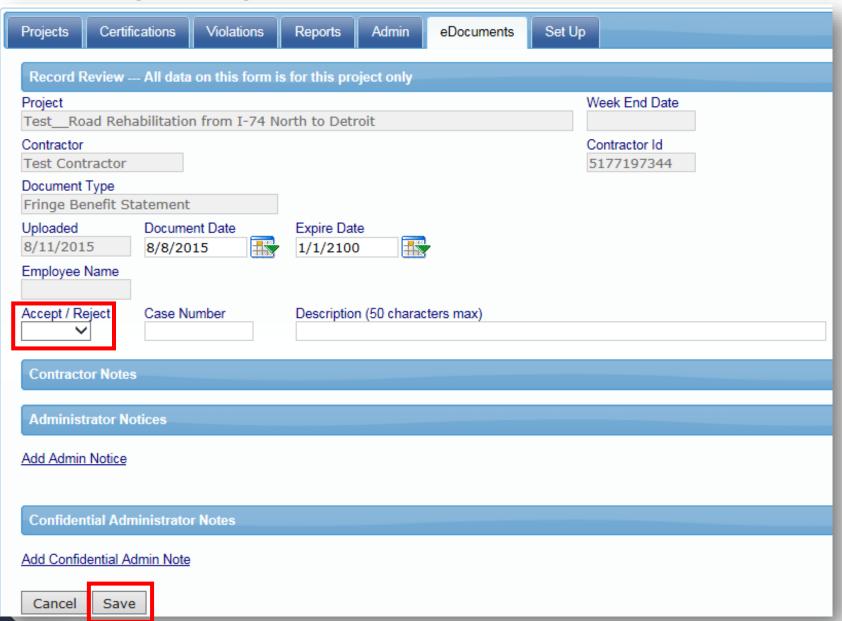


Prevailing Wage Documents

Various filters



Prevailing Wage Documents

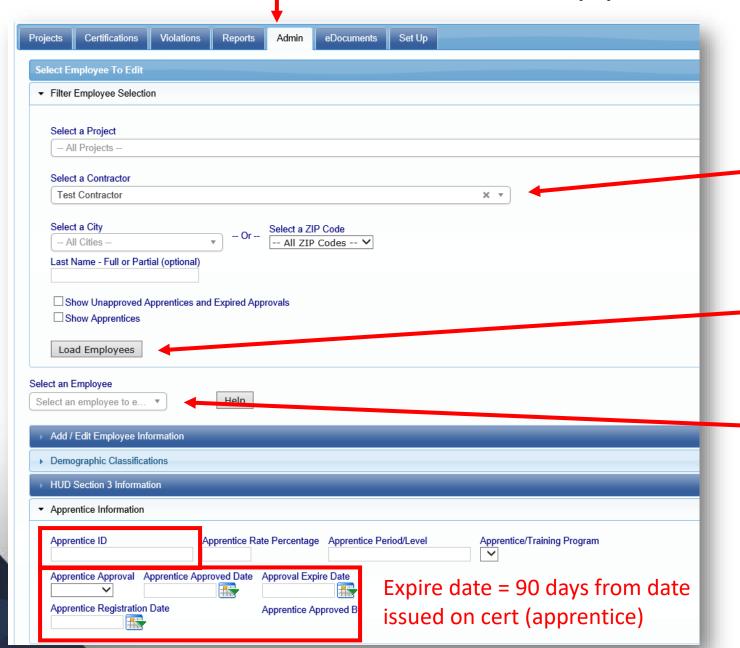


Apprentices & Trainees

- eDocument type "Apprenticeship Documents" allowed to be submitted to all contracts.
- Once one office technician has approved the document all other copies will show as approved.
- Apprentices certs are valid for 90 days from issue date.
- Enhanced eDocument search function by employee name.
- Same approval process for OJT but their approval is based on construction season.
- Three step process including approving the document, approving the apprentice and providing a classification.

Admin > add/edit employees

Apprentices



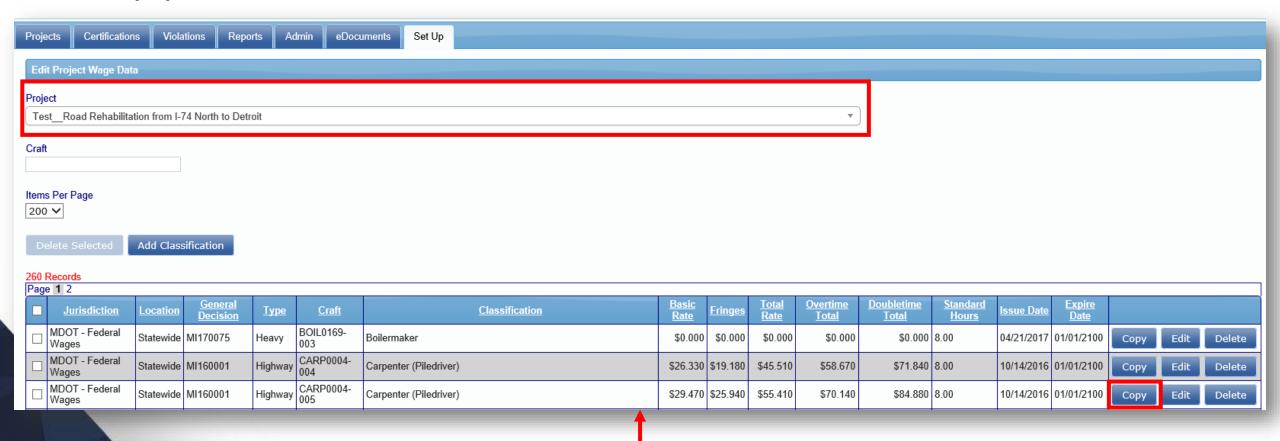
Only select contractor

Select load employees

Locate employee

OJT expire at end of the year

Apprentices



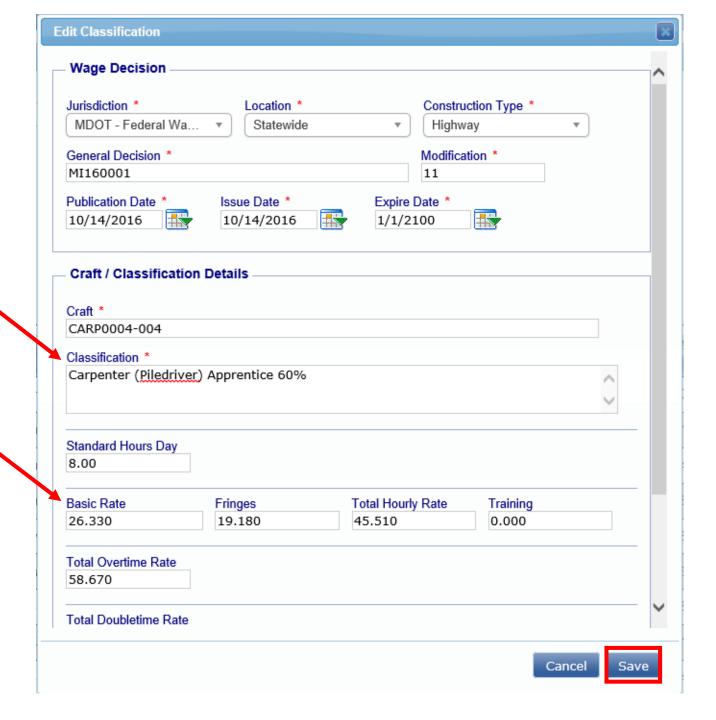
Set Up > Prevailing Wage Setup > Add/Edit Project Wage Data

Apprentices

Must say apprentice

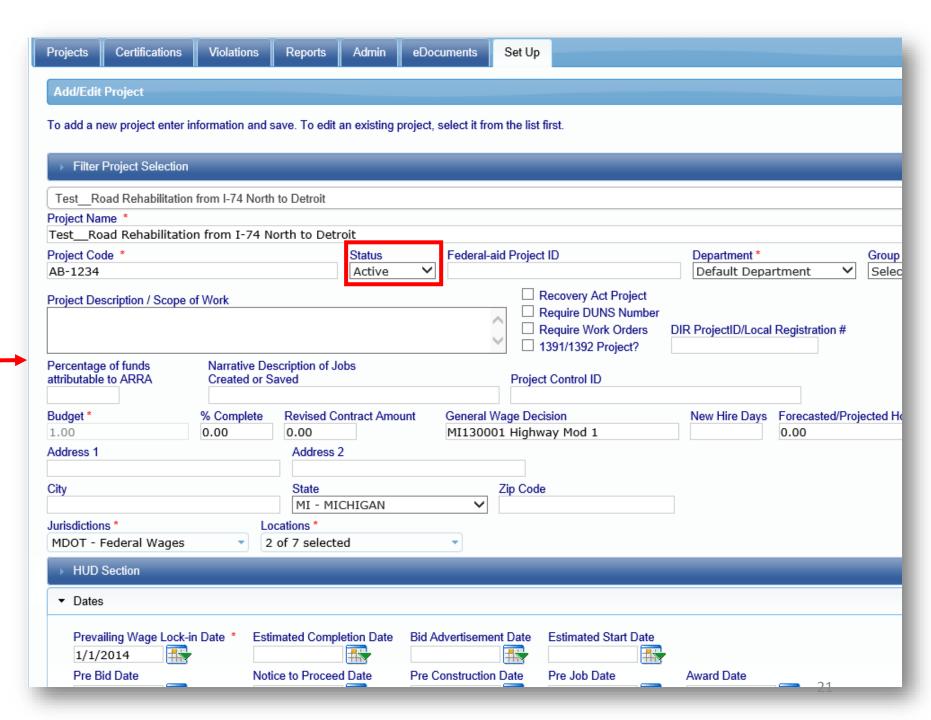
Reduce basic rate & carry math through

*Contractor's program may reduce fringe contributions also



Project Closeout

Set up > Add/Edit Projects



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Questions?



Resource Email:
MDOTLCPtracker@Michigan.gov

